

**ASSEMBLY BILL**

**No. 2661**

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**Introduced by Assembly Member Bradford**

February 21, 2014

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An act to amend Section 857 of the Public Utilities Code, relating to utility property.

LEGISLATIVE COUNSEL'S DIGEST

AB 2661, as introduced, Bradford. Utility right-of-way.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities. Existing law authorizes a public utility to lease real property acquired for purposes of obtaining a utility right-of-way to a governmental entity for purposes of a public park if the utility retains the use of the right-of-way for public utility purposes, as prescribed.

This bill would make a nonsubstantive change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 857 of the Public Utilities Code is
- 2 amended to read:
- 3 857. (a) A public utility that owns real property acquired for
- 4 purposes of obtaining a utility right-of-way, may lease that property
- 5 to a governmental entity for purposes of a public park, if the *public*
- 6 utility retains the use of the right-of-way for public utility purposes.
- 7 (b) In determining whether a lease of real property to a
- 8 governmental entity for park purposes is for fair value, the

- 1 commission shall include the community benefits of parks and
- 2 open space as a benefit to ratepayers.
- 3 (c) As used in this section, “community benefits” include, but
- 4 are not limited to, improving public health, protecting the
- 5 environment, and increasing recreational assets.